

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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IGOR KORSUNSKY, :
Plaintiff, :
-against- :
NORTH STAR FOUNDATION, INC. and ALEXEI :
SHAPOVALOV, :
Defendants. :
-----x

MEMORANDUM & ORDER

10-CV-3241 (ENV) (CLP)

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ APR 09 2013 ★

VITALIANO, D.J.,

BROOKLYN OFFICE

Plaintiff Igor Korsunsky brought this action against defendants North Star Foundation, Inc. (“North Star”) and Alexei Shapovalov.¹ On November 21, 2012, Magistrate Judge Cheryl L. Pollak issued an Order warning that a certificate of default would be entered against North Star, if it did not enter an answer by December 17, 2012. (Docket # 10). Having received no response from defendant North Star, Magistrate Judge Pollak’s issued a Report and Recommendation (the “R&R”) on December 18, 2012, recommending that a certificate of default be entered against the corporate defendant and that the case be again referred to her to conduct an inquest and prepare a Report and Recommendation on the issue of damages.

In reviewing a report and recommendation of a magistrate judge, a district judge “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Further, a district judge is required to “determine de novo any part of the magistrate judge’s disposition that has been properly objected to.” Fed. R. Civ. P. 72(b)(3); see also Arista Records, LLC v. Doe 3, 604 F.3d 110, 116 (2d Cir. 2010). But, where no timely objection has been made, the “district court need only satisfy itself that there is no clear

¹ Plaintiff has withdrawn all claims against defendant Shapovalov. (See Docket #9).

error on the face of the record" to accept a magistrate judge's Report and Recommendation. Urena v. New York, 160 F. Supp. 2d 606, 609-10 (S.D.N.Y. 2001) (quoting Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985)).

No objections have been filed. After careful review of the record, the Court finds the R&R to be correct, well-reasoned, and free of any clear error. The Court, therefore, adopts the R&R in its entirety as the opinion of the Court. The matter is referred, again to Magistrate Judge Pollak to conduct an inquest and prepare a Report and Recommendation on the issue of damages.

SO ORDERED.

Dated: Brooklyn, New York
March 31, 2013

s/Eric N. Vitaliano

ERIC N. VITALIANO
United States District Judge